

# **REGULAR CITY COUNCIL MEETING**

## **MUNICIPAL MINUTES CITY OF TUPELO**

### **STATE OF MISSISSIPPI**

**JUNE 02, 2020**

#### **INVOCATION:**

COUNCILMAN BUDDY PALMER

Councilman Buddy Palmer recognized John Gordon, Missions Director, from Harrisburg Baptist Church to lead the invocation.

#### **PLEDGE OF ALLEGIANCE:**

COUNCILMAN MIKE BRYAN

#### **CALL TO ORDER:**

COUNCILWOMAN NETTIE DAVIS

Councilwoman Nettie Davis called the meeting to order at 6:00 PM. Council members present were: Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, Mike Bryan and Willie Jennings, as well as Ben Logan, City Attorney and Missy Shelton, Clerk to the Council. Council member Markel Whittington was absent.

#### **CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER**

Councilman M Bryan moved, seconded by Councilman Beard, to confirm the Agenda and Agenda Order. Of those present, the vote was unanimous.

#### **PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA**

##### **IN THE MATTER OF NATIONAL GARDEN WEEK PROCLAMATION**

Mayor Jason Shelton recognized Bonnie Webb for the presentation of a proclamation for National Garden Club Week, June 7-13, 2020. Both of the recipients gave appreciation for the leadership of the City of Tupelo during the COVID - 19 pandemic while balancing the financial well-being along with healthy well-being. **APPENDIX A**

##### **PROCLAMATIONS**

##### **RECOGNITION GIRL/BOY SCOUTS**

##### **EMPLOYEE RECOGNITION**

##### **PUBLIC RECOGNITION**

Councilman Jennings asked that everyone keep the George Floyd family in your prayers during this time and continue to be safe concerning COVID - 19.

## MAYOR'S REMARKS

Mayor Jason Shelton discussed COVID-19, the national death toll surpassing 100,000 and reminded everyone to be protective of yourself and all those around you. Tupelo-Lee County Pastors are currently hosting a group to pray against injustice. The opening of Hotel Tupelo has been announced, and we are anticipating the building and its opening in Fairpark. He extended thanks to the Downtown Mainstreet Association and the Convention and Visitors Bureau for all they've done to make this possible. This week is the first ever 'virtual' Elvis Week in Tupelo. An outline of the Mayor's remarks are attached as **APPENDIX B.**

## **(CLOSE REGULAR MEETING OPEN PUBLIC AGENDA)**

### **PUBLIC AGENDA**

#### PUBLIC HEARINGS

#### **IN THE MATTER OF LOT MOWING PF**

No one was present for the Public Hearing on the lot mowing at this time. The list is attached as **APPENDIX C.**

#### APPEALS

#### CITIZEN HEARING

## **(CLOSE PUBLIC AGENDA AND OPEN REGULAR SESSION)**

### **ACTION AGENDA**

### **ROUTINE AGENDA**

#### IN THE MATTER OF MAY 19, 2020 MINUTES OF REGULAR COUNCIL MEETING

Councilman Palmer moved, seconded by councilman M Bryant, to approve the Minutes of the Regular meeting of the City Council on May 19, 2020. Of those present, the vote was unanimous in favor.

#### IN THE MATTER OF BILL PAY AND UTILITY ADJUSTMENTS

Council members Travis Beard, Buddy Palmer, Lynn Bryan, Nettie Davis and Accounts Payable Manager Traci Dillard met at 4:00 PM to review the bills. Councilman Jennings moved, seconded by Councilman Palmer, to approve the docket as presented. Of those present, the vote was unanimous in favor. **APPENDIX D**

#### IN THE MATTER OF ADVERTISING AND PROMOTIONAL ITEMS

Motion was made by Councilman Beard, seconded by Councilman Palmer, to approve the advertising and promotional items as submitted. Of those present, the vote was unanimous in favor. **APPENDIX E**

#### **IN THE MATTER OF BUDGET AMENDMENT #5**

Councilman M Bryan moved, seconded by Councilman Jennings, to approve Budget Amendment #5 for the 2019-2020 Budget, as presented. After a brief discussion and explanation from CFO Kim Hanna, the vote, of those present, was unanimous in favor. **APPENDIX F**

#### **IN THE MATTER OF THE 2021 BUDGET CALENDAR**

Councilman Jennings moved, seconded by Councilman Palmer, to approve the 2021 Budget Calendar. Of those present, the vote was unanimous in favor. **APPENDIX G**

#### **IN THE MATTER OF SAND CREEK BANK STABILIZATION BIDS**

The City advertised and procured bids through the electronic bidding process, as required by law. After a brief discussion, Councilman Palmer moved, seconded by Councilman M Bryan, to award the Sand Creek Stabilization Bid to the lowest and best bidder, Ensco, LLC, in the amount of \$124,304.00. Of those present, the vote was unanimous in favor. **APPENDIX H**

#### **IN THE MATTER OF LOT MOWING**

Councilman Beard moved, seconded by Councilman Palmer, to approve the final lot-mowing list submitted by the Department of Development Services, such properties being in such a state of uncleanness as to be a menace to public health, safety, and the welfare of the community, thereby authorizing the department to proceed with the mowing of these properties. Of those present, the vote was unanimous in favor. **APPENDIX I**

#### **IN THE MATTER OF DEMO RESOLUTIONS**

Councilman Beard moved, seconded by Councilman Palmer, to adopt the resolutions adjudicating the costs and assessing liens for enrollment against private properties upon which work had been done by the city pursuant to 21-19-11. Of those present, the vote was unanimous in favor of taking this action on the list of properties submitted by the Department of Development Services. **APPENDIX J**

#### **IN THE MATTER OF BUTLER PARK DEVELOPMENT AGREEMENT**

Pat Falkner, Director of Development Services, requested approval of a development agreement with Butler Park, LLC. The real estate agreement is required of developers of major subdivisions and commercial projects to provide financial security to guarantee completion of the required improvements. Councilman M Bryan moved, seconded by Councilman Beard, to approve the agreement as submitted. Of those present, the vote was unanimous in favor. **APPENDIX K**

#### **IN THE MATTER OF REQUEST FOR APPROVAL OF BID 2020-010PW**

The City advertised and procured bids through the electronic bidding process, as required by law. After a brief discussion, Councilman M Bryan moved, seconded by Councilman Palmer, to award Bid # 2020-010PW Coley Road at Golden Wave Drive Lane Improvements, to Murphree Paving in the amount of \$153,481.25. Of those present, the vote was unanimous in favor. **APPENDIX L**

#### **IN THE MATTER OF APPROVAL OF AD AGENCY CONTRACT**

Councilman Palmer moved, seconded by Councilman Beard, to approve the Master Service Agreement with Destination Think as agency of record for the 18 month pandemic recovery campaign, as requested by Neal McCoy, CVB Director. Of those present, the vote was unanimous in favor. **APPENDIX M**

#### **IN THE MATTER OF REJECTION OF BID # 2020-009PW**

Councilman Jennings moved, seconded by Councilman Beard, to reject Bid #2020-009PW, Infrared Pavement Restoration due to the lack of notice of opportunity to submit electronic bids in the legal notice. Of those present, the vote was unanimous in favor. **APPENDIX N**

#### **IN THE MATTER OF REJECTION OF BID #2020-011PW**

Councilman Beard moved, seconded by Councilman Jennings, to reject Bid #2020-011PW, Curb and Gutter due to the lack of notice of opportunity to submit electronic bids in the legal notice. Of those present, the vote was unanimous in favor. **APPENDIX O**

#### **IN THE MATTER OF CHANGE ORDER 3 & SUMMARY FOR SRF17 WASTEWATER COLLECTION SYSTEM IMPROVEMENTS**

Johnny Timmons, TWL Director, addressed the Council and requested that Change Order #3 and Summary for Bid # 1522WL - SRF FY17 Wastewater Collection System Improvements be approved. The change order is due to further repairs being needed in the process of rehab of pumping stations. This change order adds \$50,514.00 to the project. Councilman M Bryan moved, seconded by Councilman Palmer, to find the change order commercially reasonable, not for purposes of avoiding procurement laws and to approve this request and change order #3. Of those present, the vote was unanimous in favor. **APPENDIX P**

#### **IN THE MATTER OF CHANGE ORDER 2 FOR W JACKSON STREET – OVERHEAD TO UNDERGROUND UTILITY RELOCATION**

Johnny Timmons, TWL Director, addressed the Council and requested that Change Order #2 Bid # 2019-003WL - West Jackson Street - Overhead to Underground Utility Relocation be approved. This change order decreases the original bid by \$14,869.99. Councilman Palmer moved, seconded by Councilman M Bryan, to find the change order commercially reasonable, not for purposes of avoiding procurement laws and to approve this request and change order #2. Of those present, the vote was unanimous in favor. **APPENDIX Q**

#### **IN THE MATTER OF RESOLUTION APPOINTING MML 2020 VOTING DELEGATES**

Councilman Beard moved, seconded by Councilman Palmer, to approve a resolution in accordance with the bylaws of the Mississippi Municipal League, to appoint the voting delegate(s) of the municipality for the 2019 Mississippi Municipal League elections to be held at the annual convention on September 1-3 2020, naming the following:

Voting Delegate:                      Nettie Y. Davis, Council President

First Alternate:                      Mike Bryan, Council Vice President

Of those present, the vote was unanimous in favor. A copy of the executed resolution is attached to these minutes as **APPENDIX R**.

**IN THE MATTER OF RECOMMENDATION OF GEORGE TAYLOR FOR RE APPOINTMENT TO THE NORTHEAST MS REGIONAL WATER SUPPLY DISTRICT BOARD**

At the request of Mayor Jason Shelton, Councilman Beard moved, seconded by Councilman Palmer, to re-appoint George Taylor for a position on the Board of the Northeast MS Regional Water Supply District. Of those present, the vote was unanimous in favor. The request and bio of Mr. Taylor are attached as **APPENDIX S**.

**IN THE MATTER OF SALE OF CITY PROPERTY LOCATED AT 802 MALONE STREET TO MITCHELL McCAMEY**

The City desires to sell vacant lot located at 802 Malone Street in Mill Village to residential developer Mitchell McCamey for \$6,500, the average of two appraisals as required by statute. Councilman Beard moved, seconded by Councilman Palmer, to declare the vacant lot located at 802 Malone Street, as surplus, no longer needed for municipal purposes, authorize the Mayor to enter into a contract of sale and authorize the Mayor and City Clerk to execute any and all documents, including a special warranty deed, to effectuate the sale. The contract and deed will be presented for ratification at a later meeting. Of those present, the vote was unanimous in favor. **APPENDIX T**

**IN THE MATTER OF SALE OF CITY PROPERTY LOCATED AT 357/371 MALONE STREET TO MOLLY TANNER**

The City desires to sell a vacant lot located at 357 and 371 Malone Street in Mill Village to adjoining landowner Molly Tanner. The City has obtained an appraisal for \$2,750. Tanner Properties will also obtain an appraisal of the property. The sale will be made for the average of the two appraisals as required by statute. Councilman Beard moved, seconded by Councilman Palmer, to declare the vacant lots located at 357 and 371 Malone Street as surplus, no longer needed for municipal purposes, authorize the Mayor to enter into a contract of sale and authorize the Mayor and City Clerk to execute any and all documents, including a special warranty deed, to effectuate the sale. The contract and deed will be presented for ratification at a later meeting. Of those present, the vote was unanimous in favor. **APPENDIX U**

**IN THE MATTER OF SALE OF CITY PROPERTY (FORMERLY NATCHEZ TRACE INN) LOCATED ON CONVENTION DRIVE TO SOUTHEAST VENTURES, LLC**

The City desires to sell vacant real property (formerly the Natchez Trace Inn) located on Convention Drive to Southeast Ventures, LLC for \$207,500 the average of two appraisals as required by statute. Councilman Beard moved, seconded by Councilman Jennings, to declare the vacant real property (formerly the Natchez Trace Inn) on Convention Drive as surplus, no longer needed for municipal purposes, authorize the Mayor to enter into a contract of sale and authorize the Mayor and City Clerk to execute any and all documents, including a special warranty deed, to effectuate the sale. The contract and deed will be presented for ratification at a later meeting. Of those present, the vote was unanimous in favor. **APPENDIX V**

**IN THE MATTER OF PURCHASE OF REAL PROPERTY LOCATED AT 427 WALKER FROM CRAIG SHANNON**

The City desires to purchase real property located at 427 Walker from landowner Craig Shannon for \$30,000, the appraised value or less as required by statute. Councilman Beard moved, seconded by Councilman Palmer, to authorize the Mayor to enter into a contract of purchase and authorize the Mayor and City Clerk to execute any and all documents to effectuate the transaction. The contract and acceptance of deed will be presented for ratification at a later meeting. Of those present, the vote was unanimous in favor. **APPENDIX W**

**IN THE MATTER OF PURCHASE OF REAL PROPERTY LOCATED AT 516 WALKER FROM CRAIG SHANNON**

The City desires to purchase real property located at 516 Walker from landowner Craig Shannon for \$25,000, the appraised value or less as required by statute. Councilman Palmer moved, seconded by Councilman Beard, to authorize the Mayor to enter into a contract of purchase and authorize the Mayor and City Clerk to execute any and all documents to effectuate the transaction. The contract and acceptance of deed will be presented for ratification at a later meeting. Of those present, the vote was unanimous in favor. **APPENDIX X**

**IN THE MATTER OF PURCHASE OF REAL PROPERTY LOCATED AT 418 SOUTH SPRING STREET (GRAVLEE LUMBER) AND 406 SOUTH BROADWAY STREET (OLD ICE PLANT) FROM MILL VILLAGE LUMBERYARD, LLC**

The City desires to purchase real property located at 418 Spring Street and 406 South Broadway from landowner Mill Village Lumberyard, LLC for \$410,000, the total of the appraised value of each property as required by statute. Councilman Beard moved, seconded by Councilman Jennings, to authorize the Mayor to enter into a contract of purchase and authorize the Mayor and City Clerk to execute any and all documents to effectuate the transaction. The contract and acceptance of deed will be presented for ratification at a later meeting. Of those present, the vote was unanimous in favor. **APPENDIX Y**

**IN THE MATTER OF MEMORANDUM OF UNDERSTANDING BETWEEN TPSD AND TUPELO POLICE DEPARTMENT**

Councilman M Bryan moved, seconded by Councilman Palmer, to approve the Memorandum of Understanding between the Tupelo Public School District and the Tupelo Police Department for the funding of 3 school resource officers. Of those present, the vote was unanimous in favor. A copy of the Agreement is attached to these minutes as **APPENDIX Z**

## **(CLOSE REGULAR SESSION)**

### **STUDY AGENDA**

#### **IN THE MATTER OF UPDATE OF TUPELO CODE OF ORDINANCES, CHAPTER 2, ARTICLE VI, TUPELO COLISEUM COMMISSION**

The Council unanimously agreed to move the item of Tupelo Code of Ordinances, Chapter 2, Article VI, Tupelo Coliseum Commission to the Action Agenda.

Councilman M Bryan moved, seconded by Councilman L Bryan, to suspend the rules and move Items S2 and S3 up to the Regular Agenda for a vote. Of those present the vote was unanimous in favor.

#### **IN THE MATTER OF REQUEST TO RESTRIPE MAIN STREET FROM MADISON STREET TO GREEN STREET**

Councilman Beard moved, seconded by Councilman Palmer, to approve the request to re-stripe Main Street from Madison Street to Green Street. Of those present, the vote was unanimous in favor. **APPENDIX AA**

#### **IN THE MATTER OF RESOLUTION OF INTENT TO ADOPT AND IMPLEMENT FIRST ADDENDUM AND AMENDMENT (THE "2020 ADDENDUM") TO THE TAX INCREMENT FINANCING PLAN, FAIRPARK DISTRICT DEVELOPMENT PROJECT, CITY OF TUPELO, MISSISSIPPI, AUGUST 2017 (THE "2017 TIF PLAN")**

Councilman Jennings moved, seconded by Councilman Palmer, to approve the Resolution of Intent to Adopt and Implement First Addendum and Amendment (The "2020 Addendum") to the Tax Increment Financing Plan, Fairpark District Development Project, City of Tupelo, Mississippi, August 2017 (The "2017 TIF Plan"). This Resolution of Intent meets the statutory requirements of publishing notice of a public hearing and holding a public hearing regarding the proposed amendment. Of those present, the vote was unanimous in favor. **APPENDIX BB**

### **EXECUTIVE SESSION**

### **ADJOURNMENT**

There being no further business to come before the City Council at this time, Councilman Jennings moved, seconded by Councilman L Bryan, to adjourn the meeting. Of those present, the vote was unanimous in favor, this the 2nd day of June, 2020 at 6:45 PM.

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Nettie Davis, President  
City Council

ATTEST:

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Missy Shelton, Clerk of the Council

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Jason Shelton, Mayor